

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Education Professional Standards Board
(Amendment)

16 KAR 3:070. Endorsement for individual intellectual assessment.

RELATES TO: KRS 161.020, ~~161.028~~~~[161.025,]~~ 161.030

STATUTORY AUTHORITY: KRS ~~[156.070,]~~161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board (EPSB) to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the EPSB~~[KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education]. This administrative regulation provides for a program of preparation and certification~~~~[preparation-certification]~~ leading to a certificate endorsement for administering individual intellectual assessments.

Section 1. (1) Upon application to the EPSB and compliance with 16 KAR 2:010, Section 3(1) an~~[An]~~ endorsement for individual intellectual assessment shall be issued ~~[in accordance with the pertinent Kentucky statutes and State Board of Education administrative regulations]~~ to an applicant who holds certification as a ~~school~~~~[guidance]~~ counselor and who has completed the approved program of preparation for the endorsement at a teacher education institution approved ~~in accordance with 16 KAR 5:010~~~~[under the standards and procedures included in the Kentucky Standards for the Preparation-Certification of Professional School Personnel as adopted by 16 KAR 5:013].~~

(2) The program of preparation for the endorsement for individual intellectual assessment shall include the following twelve (12) hours of graduate credit:

(a) Three (3) semester hours of graduate credit in basic testing and measurement concepts;

(b) Six (6) semester hours of graduate credit which relate directly to individual intellectual assessment; and,

(c) Three (3) semester hours of graduate credit in a supervised practicum for administering, scoring, and interpreting individual intellectual assessments.

Section 2. (1) The endorsement for individual intellectual assessment shall be issued for a duration period of five (5) years and may be renewed upon completion of:

(a) Two (2) years ~~[three (3) years]~~ of experience with administering, scoring, and interpreting individual intellectual assessments as part of the job function; or

(b) Three (3) semester hours of additional graduate credit in counseling, school counseling, or intellectual assessments. [If any portion of renewal experience is not completed, the certificate may be renewed upon completion of six (6) semester hours of credit selected from the areas set forth in Section 3 of this administrative regulation.]

(2) If there is a lapse in the endorsement for individual intellectual assessment for lack of meeting renewal requirements, the endorsement may be reissued at a later date upon application to the EPSB, compliance with 16 KAR 2:010, Section 3(1), and completion of six (6) semester hours of additional graduate credit in counseling, school counseling, or intellectual assessments.

Section 3. ~~An endorsement for individual intellectual assessment shall be issued to an applicant~~

~~who holds certification as a guidance counselor and who has completed twelve (12) semester hours of graduate credit including:~~

- ~~(1) Three (3) semester hours of graduate credit in basic testing and measurement concepts.~~
- ~~(2) Six (6) semester hours of graduate credit which relate directly to individual intellectual assessment.~~
- ~~(3) Three (3) semester hours of graduate credit in a supervised practicum for administering, scoring, and interpreting individual intellectual assessments.~~

~~Section 4. Guidance counselors who have qualified to administer individual intellectual assessments in accordance with the provisions of 704 KAR 7:020 shall no longer qualify after September 1, 1989, except upon receiving the certificate endorsement for individual intellectual assessment. Guidance counselors holding such approval and who complete the following curriculum requirements by September 1, 1989, may qualify on a minimum of nine (9) semester hours of graduate credit including:~~

- ~~(1) Three (3) semester hours of graduate credit in basic testing and measurement concepts.~~
- ~~(2) Six (6) semester hours of graduate credit which relate directly to individual intellectual assessment.]~~

~~Section 4.~~Section 5. The endorsement for individual intellectual assessment shall be valid for administering individual assessments at all grade levels in the schools of the Commonwealth of Kentucky.

LISA RUDZINSKI, Board Chair

APPROVED BY AGENCY: June 24, 2021

FILED WITH LRC: July 14, 2021 at 3:58 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on September 23, 2021, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Todd Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky 40601, phone 502-564-4474, fax 502-564-9321; email regcomments@education.ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Todd Allen

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides for a program of preparation and certification leading to a certificate endorsement for administering individual intellectual assessments.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to set the standards for the certificate endorsement for administering individual intellectual assess-

ments.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 requires a certificate of legal qualifications for any public school position for which a certificate is issued. KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and to set the standards for and approve university programs for the preparation of teachers and other professional school personnel.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the requirements for issuance and renewal of the endorsement for individual intellectual assessment.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment updates the renewal and reissuance requirements for the endorsement for individual intellectual assessment to align with the renewal and reissuance requirements for the certificate for school counselor.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to update the renewal and reissuance requirements for the endorsement for individual intellectual assessment to align with the renewal and reissuance requirements for the certificate for school counselor. The endorsement can only be issued to those applicants that hold a certificate for school counselor.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate.

(d) How the amendment will assist in the effective administration of the statutes: The amendment aligns the renewal and reissuance requirements for the endorsement with the certificate for school counselor which an applicant must possess to receive the endorsement.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 172 Kentucky school districts and school counselors seeking an endorsement for individual intellectual assessment.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to meet the standards delineated in the amendment to renew or reissue an endorsement for individual intellectual assessment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no cost associated with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): School counselors holding the endorsement for individual intellectual assessment will have alignment between the renewal requirements of the certificate and endorsement making it easier to maintain both. Districts will have access to a pool of certified counselors who also hold an endorsement to administer individual intellectual assessments.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: Certification fees are established by 16 KAR 4:040. No additional fees are established by this regulation.

(9) TIERING: Is tiering applied? Tiering is not applicable to the requirements of this regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, public colleges and universities with educator preparation programs and public-school districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, KRS 161.028, KRS 161.030.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There will be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There will be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with this amendment.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the amendment.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the standards for preparation and certification for the endorsement for individual intellectual assessment.